

Notice of Allowability

Application No.

10/537,841

Applicant(s)

CHENG, XIANG WU

Examiner

Dennis Cordray

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication received 2/9/2007.
2. ☒ The allowed claim(s) is/are 1 and 3-7.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification, page 1, following the Title, please enter:

--This application is a 371 of PCT/CN04/01371, filed 11/29/2004 which claims priority of Chinese Patent Application 200310115531.7, filed 11/28/2003--

Reasons for allowance

The following is an examiner's statement of reasons for allowance:

The nearest prior art, Capps, 5133834 or 5366594, discloses a process for digestion and polymerization of non-woody material comprising multiple steps (last par of col 2 to col 3, 2nd par for both references). In a first stage, the raw material is treated with a 20% sodium sulfite solution, which is much higher than the amount claimed in the instant invention, to break the raw material into cellulose, lignin and silica. The temperature and pressure are lowered and sodium bisulfite is added to adjust the pH. A 1% sulfuric acid solution added, the temperature and pressure are again elevated, and the polymerization reaction conducted in a second stage. The cooking time is 3 hours for each stage for a total of 6 hours. Lower temperature and pressure would require cooking for longer times.

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In another prior art process, Pan et al, 6258207, the raw material is cut into pieces, then pretreated with a sulfuric acid solution containing a chelating agent for 0.5 to 2 hours, bleached with an alkaline peroxide solution containing a chelating agent for 0.5 to 4 hours, and finally mechanically defibrated (col 3, lines 22-62; col 6, lines 48-53). The total treatment time for the two steps is up to 6 hours.

A third prior art process, Gentile Jr. et al, 5002635, comprises cutting the raw material into pieces, impregnating the pieces twice with silicate or magnesium and a chelating agent, then impregnating with alkaline peroxide and a chelating agent, and refining the pieces. The refined pulp is concentrated by thickening, diluted with water, acidified, and washed. (col 5, lines 6-43; col 8, lines 57-64). In a variant of the process, pulp is impregnated with a solution containing sodium sulfite, cooked, refined, dewatered, washed, bleached with peroxide, washed again then diluted (col 12, lines 1-37, Example B).

Treatments disclosed in the prior art include some, but not all, of the claimed ingredients. Neither the claimed composition nor pulp treatment are found or suggested in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Cordray whose telephone number is 571-272-8244. The examiner can normally be reached on M - F, 7:30 -4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DRC

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STEVEN P. GRIFFIN
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